

CITY OF ELGIN,

Plaintiff

-vs-

ALBERT J. THOMPSON and MINNIE
LEE THOMPSON, husband and wife,

Owners and Defendants.

FINDINGS.

ORDER.

WHEREAS, on, before and prior to the 6th day of August, 1952, Rex C. Roulet, mayor of the above entitled City, and Wayne Johnson, then duly appointed and acting as Fire Chief of said City, did examine and inspect the following described premises, to-wit: South half of lots 1,2,3 and 4, in block 59 of Hindman's Addition to the City of Elgin, Union County, Oregon, and the story and a half frame building situated thereon, and did determine in the opinion of each of them that said building was and did constitute a dangerous building within the said City, and did report their findings to the Common Council of the City of Elgin, Union County, Oregon, at a regularly called and constituted meeting of the same on the 6th day of August, 1952, said report setting forth that said building was in a weakened condition, dilapidated, the interior of the same being in a deteriorated condition, that the same contained poorly installed electrical wiring, defective chimneys, contained combustible materials of oils and gasolines, that the general condition of said building was especially susceptible to cause fire and thereby endangering adjacent buildings, and

WHEREAS, pursuant to the above described report, the said Common Council did duly pass and adopt Ordinance No. 3, Series 1952, which provided that a public hearing was to be held by said Common Council on the 3rd day of September, 1952, at 7:30 P.M., at the City Hall of said City for the purpose of determining whether or not said building was and did constitute a dangerous building and structure, and providing that the City Recorder notify the above named defendants and owners, Albert J. Thompson and Minnie Lee Thompson, husband and wife, the record owners of said building, of the time and place of said public

hearing by mailing to said owners a copy of the notice of said meeting, and providing that said City Recorder cause to be published a notice of the time and place of said public hearing in two consecutive publications of the Elgin Recorder, a newspaper of general circulation in Elgin, Union County, Oregon, beginning with the issue of August 14, 1952, and providing that said City Recorder post a copy of said notice in three public places within the corporate limits of said city, and

WHEREAS, the above named owners and defendants were so notified by registered mail and said notices of the said public hearing were so posted and published, and

WHEREAS, the said Common Council did meet in a regularly constituted Council meeting pursuant to said Ordinance, and said notice, on the 3rd day of September, 1952, at 7:30 P.M., at the City Hall of said City, and the above named owners and defendants did attend said meeting personally and in person, and

WHEREAS, the said defendants were notified at said council meeting that the above described building was a dangerous building in the following particulars, to-wit:

1. Electrical wiring within said building was substandard and did not conform with the Oregon State Electrical Code.
2. Chimney flues were constructed of sewer pipe instead of standard masonry.
3. Inflamable rubbish and debris was indiscriminately scattered about the interior of said building.
4. Kerosene, motor oil and other combustible liquids were stored in open containers in said building.
5. Area adjacent to building was overgrown with inflammable weeds and grass, and

WHEREAS, said defendants requested until the 1st day of May, 1953, to remove and rectify the above described fire hazards, and

WHEREAS, the Common Council of the City of Elgin duly passed and Findings, Order - page #2.
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adopted a motion allowing the said defendants the above requested time and until the 1st day of May, 1953, to so remove and rectify the above described fire hazards, and

WHEREAS, the Common Council did cause an investigation to be made subsequent to the 1st day of May, 1953, of said building to determine whether or not the above described hazards had been eliminated, and

WHEREAS, Charles Barnhart, a duly qualified, elected and acting councilman, and chairman of the building committee for said city, together with N.E. Brown, Fire Chief of said City, and George W. Kinkead, Oregon State Deputy Fire Marshal, did on or about the 14th day of July, 1953, inspect said building and premises and determined that each and every fire hazard hereinabove described still existed within said building and on said premises,

NOW, THEREFORE, IT IS HEREBY FOUND AND ORDERED BY THE COMMON COUNCIL OF THE CITY OF ELGIN, UNION COUNTY, OREGON:

1. That the story and a half frame building situate on lots 1, 2, 3 and 4 in block 59, Hindman's Addition to the City of Elgin, Union County, Oregon, is a dangerous building and structure and that the same constitutes a fire hazard;

2. That in the judgment of said Common Council, the complete removal of said story and a half frame building in its entirety, together with the removal of all debris, trash, weeds, and other combustible materials from said premises is mandatory for the preservation of the safety, peace and health of said City, and particularly the adjoining and adjacent premises;

3. That the story and a half frame building situate on the hereinabove described premises, together with all debris, trash, weeds and other combustible materials situate upon said premises shall be removed therefrom by the hereinabove described owners and defendants on or before 20th Day of August;

4. That the above named owners and defendants, Albert J. Thompson and Minnie Lee Thompson, husband and wife, be notified of these Findings and Order by sending a certified copy thereof by registered mail to their last known address, to-wit: Albert J. Thompson and Minnie Lee Thompson, Box 356, Fontana, California;

5. AND IT IS FURTHER ORDERED that in the event said owners and defendants fail, refuse and neglect to comply with the provisions of these Findings and Order, the said Common Council shall remove said story and a half frame building from said premises, together with all the debris, trash, weeds and other combustible materials situate thereon, and assess the cost of the same against the property hereinabove described, after first having filed an estimated statement of said cost with the City Recorder of said City and advertising for bids for the doing of the work.

PASSED by the Common Council this 5th day of August, 1953, by

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councilmen voting therefor.

APPROVED and ADOPTED this 5th day of August, 1953.

Attest:

Rex C. Roullet
Mayor

G. P. Miller
City Recorder.